

REMARKS

Claims 1-8 and 10-35 are pending. Claim 1 is amended. The basis for this amendment can be found, for example, in paragraph 34 on page 10. Claims 10 and 11 are amended for purposes of clarifying the subject matter intended to be covered. Claim 9 is canceled. New claims 32-35 are added. The basis for new claims 32-35 can be found, for example, at paragraph 23 on page 7, paragraph 35 on page 10, and paragraph 45 spanning pages 12-13.

Rejections Based on Alleged Obviousness-Type Double Patenting

Claims 1-31 were provisionally rejected on the ground of nonstatutory obviousness-type double patenting over claims 1-25 of copending Application No. 10/873,884, over claims 1-21 of copending Application No. 10/703,341, and over claims 1-25 of copending Application No. 10/871,343, over claims 1-27 of copending Application No. 10/755,702. Although Applicants do not agree with these rejections, terminal disclaimers are submitted herewith in order to facilitate prosecution.

Claims 1-22, 24, 25, and 27-31 stand rejected on the ground of nonstatutory obviousness-type double patenting over claims 1-29 of U.S. Patent No. 5,994,493 ("the 493 patent"). For reasons discussed below in regard to the anticipation and obviousness rejections based on the 493 patent, there can be no overlap between the coverage of the instant claims and those of the 493 patent. Because the instant claims are not obvious in view of the 493 patent, Applicants submit that this rejection should be withdrawn.

Claims 1-22, 24, 25, and 31 stand rejected on the ground of nonstatutory obviousness-type double patenting over claims 1-30 of U.S. Patent No. 6,906,148. Although Applicants do not necessarily agree with the rejection, a terminal disclaimer is submitted herewith in order to facilitate prosecution.

Rejections Based On The 493 Patent

Claims 1-22, 24, 25, and 27-31 were rejected under 35 U.S.C. § 102(b) as allegedly anticipated by the 493 patent and claims 1-31 were rejected as allegedly obvious under 35

U.S.C. § 103(a) over the 493 patent. Although Applicants do not agree with the Office's interpretation of the transition phrase "consisting essentially of", Claim 1 (the only independent claim pending in the present application) has been amended to recite that the reactive adhesive comprises at least one reaction product having free isocyanate groups obtained by reacting reactants *consisting of* certain specified components (i.e., diphenylmethane diisocyanate, including at least 95 wt.% of 2,4'-diphenylmethane diisocyanate; and at least one compound selected from the group consisting of polyether-polyols having number average molecular weights less than 1,000, polyalkylene diols having number average molecular weights less than 1,000, and polyester-polyols which are crystalline, partly crystalline or vitreously amorphous). The reactants which are reacted to form the reaction product having free isocyanate groups thus cannot include an aromatic polyol.

Based on this amendment, there can be no overlap between the instant claims and the teachings of the 493 patent. The 493 patent requires the use of (1) an isocyanate, (2) a polyester polyol or polyether polyol and (3) an aromatic polyol to form the reaction product. *See*, for example, the Abstract and column 4, lines 23-39. In contrast, the claims of the instant application are limited such that the reaction product present in the reactive adhesive cannot have been prepared using an aromatic polyol. Because anticipation requires strict identity, the cited art does not anticipate the instant claims. Moreover, because the 493 patent does not teach or suggest a composition prepared without use of an aromatic polyol, the instant claims are not obvious in view of the cited art. Reconsideration and withdrawal of the rejections are respectfully requested.

In regard to claim 2, Applicants note that the cited art does not teach or suggest an adhesive having a monomeric diisocyanate content that is less than 0.25 weight percent. Likewise there is no teaching or suggestion of the less than 0.3 wt.% of 2,2'-diphenylmethane diisocyanate, less than 0.1 wt.% of 2,2'-diphenylmethane diisocyanate, and less than 0.06 wt.% of 2,2'-diphenylmethane diisocyanate, limitations recited in claims 6, 7, and 8 respectively. For at least these reasons, Applicants submit that the anticipation and obviousness rejections should be withdrawn as applied to these claims.

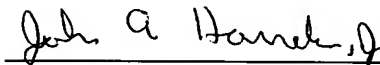
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**PATENT
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37 CFR § 1.116**

If the Examiner has any questions, the Examiner is invited to call the undersigned.

Respectfully submitted,

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